



Seizure and Forfeiture 2018 Annual Report (Second Report to the State of Maryland)

Chapters 619 and 658 of 2016 (House Bill 336/Senate Bill 161), § 12-602(e)(2) of the Criminal Procedure Article; Chapter 235 of 2019 (Senate Bill 643), § 12-602(f) of the Criminal Procedure Article

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Introduction

Chapters 619 and 658 of 2016 (House Bill 336/Senate Bill 161), *Criminal Procedure - Seizure and Forfeiture*, require each seizing authority in consultation with the corresponding forfeiting authority to report information to the Maryland Statistical Analysis Center (Center) on the seizure and forfeiture of property related to violations of the Controlled Dangerous Substances law, effective October 1, 2016.¹ Specifically, and in accordance with § 12-602(a) of the Criminal Procedure Article, each seizing authority in consultation with the corresponding forfeiting authority shall report how any funds appropriated to the authority as a result of forfeiture were spent in the preceding fiscal year and the following information about each individual seizure and forfeiture completed by the agency under this title:

1. The date that currency, vehicles, houses, or other types of property were seized;
2. The type of property seized, including year, make, and model, as applicable;
3. The outcome of related criminal action, including whether charges were brought, a plea bargain was reached, a conviction was obtained, or an acquittal was issued;
4. Whether a unit of federal government took custody of the seized property, and the name of the unit;
5. For property other than money, the market value of the property seized;
6. If money was seized, the amount of money;
7. The amount the seizing authority received in the prior year from the federal government as part of an equitable sharing agreement;
8. The race and gender of the person or persons from whom the property was seized, if known; and
9. Whether the property was returned to the owner.

In addition, and pursuant to § 12-602(d) of the Criminal Procedure Article, the Center shall develop a standard form, a process, and deadlines for electronic data entry for annual submission of forfeiture data by seizing authorities.² The Center shall also compile the submissions and issue an aggregate report of all forfeitures under this title in the State.

Pursuant to this charge, and in 2017, an implementation group formed to include law enforcement, legal, and legislative representatives. This group met to review the requirements of the bill, to review the data elements, and to develop a reporting protocol. As a result, an online reporting form (known as the Legislative Reporting Portal) was created for the consistent and unified collection of seizure and forfeiture information. The finalized protocol for reporting was

¹ Maryland General Assembly. (2016). [*Chapter 619 of 2016 \(House Bill 336\)*](#) and [*Chapter 658 of 2016 \(Senate Bill 161\)*](#), *Criminal Procedure - Seizure and Forfeiture*.

² Ibid.

disseminated to all seizing authorities in the State (*as illustrated in [Appendix A](#)*). Since September 1, 2017, all seizing authorities have reported information to the Center as it relates to all seizure and forfeiture incidents.

Furthermore, and in accordance with § 12-602(e)(2) of the Criminal Procedure Article, the Center shall submit the aggregate report to the Governor, the General Assembly, and each seizing authority before September 1 of each year.

Chapter 235 of 2019 (Senate Bill 643), *Criminal Procedure - Forfeiture Proceeds - Appropriation Percentage and Reporting*, increased the amount, from 20% to 100%, of Controlled Dangerous Substance forfeiture proceeds deposited in the General Fund that the Governor shall appropriate to the Maryland Department of Health for the purpose of funding drug treatment and education programs.³ In addition, and pursuant to § 12-602(f) of the Criminal Procedure Article, the Center shall include in its aggregate report the total amount from forfeitures deposited in the General Fund that were appropriated to the Maryland Department of Health for the programs, and how such funds were spent.⁴

Summary

Between January 1 and December 31, 2018, there were a total of 3,830 cases involving the seizure of property with a total of 4,550 property items seized from 4,115 individuals from one of 43 law enforcement agencies (seizing authorities) in Maryland. The most common form of seizure consisted of currency. The majority of individuals who had property seized were Black (85%) or male (92%).

As of March 1, 2019, most of the property seizures remained in a pending status, and 322 resulted in a forfeiture of property. Law enforcement agencies continue to provide property updates in the Legislative Reporting Portal beyond the March 1 deadline; however, those numbers are not included in this report (*please see the [Recommendations](#) section for more information*).

The amount the seizing authority received from the federal government as part of an equitable sharing agreement, from the prior year, was tracked separately through individual law enforcement reports submitted to the Department of Justice Asset Forfeiture Programs Equitable Sharing (E-Share) reports. Next year's report, *Seizure and Forfeiture 2019 Annual Report (Third Report to the State of Maryland)*, will include additional information on the seizure and forfeiture of property related to violations of the Controlled Dangerous Substances laws for the

³ Maryland General Assembly. (2019). [Chapter 235 of 2019 \(Senate Bill 643\), Criminal Procedure - Forfeiture Proceeds - Appropriation Percentage and Reporting](#). Maryland General Assembly. (2019). [Senate Bill 643 \(2019\), Criminal Procedure - Forfeiture Proceeds - Appropriation Percentage and Reporting \(Fiscal and Policy Note\)](#).

⁴ Ibid.

calendar year 2019. Specifically, and pursuant to § 12-602(f) of the Criminal Procedure Article, the *Seizure and Forfeiture 2019 Annual Report (Third Report to the State of Maryland)* will also include the total amount from Controlled Dangerous Substances forfeitures deposited in the General Fund and appropriated to the Maryland Department of Health. Given this charge, the Center will collaborate with the Maryland Department of Health to identify the total amount from forfeitures that were appropriated for drug treatment and education programs, and how the funds were spent.

Methodology

In accordance with §§ 12-101 and 12-104 of the Criminal Procedure Article, the following *DEFINITIONS* are to be used when recording seizure and forfeiture data:

- *Seizing authority* means a law enforcement unit in the State that is authorized to investigate violations of the Controlled Dangerous Substances law and that has seized property under this title..
- *Forfeiting Authority* means the unit or person designated by agreement between the State's Attorney for a county and the chief executive officer of the governing body having jurisdiction over assets subject to forfeiture to act on behalf of the governing body regarding those assets; or if the seizing authority is a unit of the State, a unit or person that the Attorney General or the Attorney General's designee designates by agreement with a State's Attorney, county attorney, or municipal attorney to act on behalf of the State regarding assets subject to forfeiture by the State.
- *Return* means an agreement to return the property has been finalized or the agency has sent notification in any form (phone, email, letter) to the lienholder or owner that the property is available for return. It does not require that the owner has taken physical possession of the property.

Pursuant to Chapters 619 and 658 of 2016, all seizing authorities must submit data each time a law enforcement agency authorizes the seizure of money or property from a criminal investigation of a Controlled Dangerous Substances law violation. In response to this, an online Legislative Reporting Portal was created in which each seizing authority is responsible for assigning one or more contacts from their agency to enter seizure/forfeiture information into the system. All seizure and forfeiture information must be submitted in the online Legislative Reporting Portal which is due to the Center no later than March 1 of the subsequent year. If necessary, the corresponding forfeiting authority (state, county, or municipal attorney) must collaborate with the seizing authority to compile the required information.

The initial seizing authority must be a Maryland law enforcement agency to be included in the report. Seizures that are authorized initially by a federal agency and transferred to a Maryland

law enforcement agency are not required to be reported under this law.

This *Seizure and Forfeiture FY 2018 Annual Report (Second Report to the State of Maryland)* presents aggregate data on seizures/forfeitures in Maryland that were reported to the Center by law enforcement agencies in 2018. The original data were extracted and analyzed by the Center. The Center relies on the seizing and forfeiting authorities to provide timely, accurate, and complete data as required by the law. It is important to note that the Center made no independent review of the records of the seizing and forfeiting authorities to ensure they complied with the legal requirements.

Required Data Elements

The data elements assigned to the Legislative Reporting Portal, and required of each seizing authority, are illustrated below. One of the required data elements, “the amount the seizing authority received in the prior year from the federal government as part of an equitable sharing agreement” was tracked separately through individual law enforcement reports submitted to the E-Share reports.

Data Information	Units of Measure	Comments
Agency name	Name of Agency	This is automatically populated based on the agency filling out the entry.
Police report case number	Police case number	Optional
Seizure Date	Date of Seizure	Date is selected from a calendar box menu.
Type of property seized	Currency, motor vehicle, boat/watercraft, aircraft, real property, jewelry, miscellaneous (please specify)	If motor vehicle, watercraft, or aircraft is selected, the agency must provide the corresponding year, make, and model.
Property market value	Market value in \$__ format	The National Automobile Dealers Association market value was used for any seizures of motor vehicles.
Unit of federal government	Whether a unit of federal government took custody of the property (Yes, No)	If yes, the agency must select Department of Justice or Department of Treasury.
Disposition of property	Buy back agreement - full settlement, full return, returned to innocent owner, returned to lien holder, forfeited, pending	The pending disposition should be used whenever final disposition of the property has not yet been determined. This is the property disposition as of March 1st.
Gender	Male, female	Gender of the individual who had property seized.
Race	American Indian or Alaskan Native, Asian, Black, Hispanic/Latino, Native Hawaiian/Pacific Islander, White, Other	Race of the individual who had property seized.
Arrested	Yes or No	Was the individual who had property seized arrested for an offense
CJIS Code	CJIS code (dropdown menu) for the crime(s) individual was arrested	Check all CJIS codes that apply, full list of Controlled Dangerous Substance (CDS) CJIS codes is found in Appendix B .
Adjudication	State or federal	Jurisdiction where the case was adjudicated
Outcome of criminal action	Guilty, PBJ, not guilty, dismissed, nolle pros, stet, no verdict, abated, pending, other	Only outcomes related to cases that were adjudicated at the state level and those where the property or currency was forfeited. Outcome as of March 1st.
Plea bargain	Yes or no	Did the case result in a plea bargain?

Results

In 2018, 3,830 cases involved the seizure of currency or property, with a total of 4,550 property items seized from 4,115 individuals.⁵ A total of 43 law enforcement agencies (seizing authorities) had at least one Controlled Dangerous Substance (CDS) case in which property was seized from an individual. As of March 1, 2019, 7.1% (n = 322) of the property items were forfeited. **Table 1. Seizures and Forfeitures by Agency** shows the agency breakdown of seizure cases. There were only 15 cases in which the federal government took control of the seized property.

⁵ Eight-five cases were removed from the analysis because the underlying charge was not a Controlled Dangerous Substance violation.

Table 1. Seizures and Forfeitures by Agency (2018)				
Agency	Cases	Property Items Seized	Persons Involved	Total Forfeitures
Aberdeen Police Department	13	13	13	0
Allegany County Narcotics Task Force (C3I)	32	37	32	6
Allegany County Sheriff's Office	12	16	14	0
Annapolis Police Department	11	14	12	2
Anne Arundel County Police Department	109	134	124	4
Baltimore County Police Department	302	460	337	119
Baltimore Police Department	2,279	2,439	2,436	1
Brunswick Police Department	3	3	3	0
Caroline County Drug Task Force	28	28	28	10
Carroll County Drug Task Force	1	1	1	0
Cecil County Drug Task Force	3	3	3	0
Cheverly Police Department	4	7	4	0
Dorchester County Drug Task Force	8	17	9	0
Dorchester County Sheriff's Office	4	7	5	0
Easton Police Department	10	10	11	4
Elkton Police Department	26	29	26	2
Frederick County Sheriff's Office	48	48	48	23
Frederick Police Department	48	65	55	14
Garrett County Drug Task Force	19	19	21	0
Hagerstown Police Department	16	17	17	2
Harford County Drug Task Force	52	52	53	1
Harford County Sheriff's Office	30	30	30	0
Howard County Police Department	79	96	89	1
Hyattsville City Police Department	2	2	2	0
Kent County Narcotics Task Force	18	20	18	5
Kent County Sheriff's Office	3	3	3	0
Maryland State Police	48	56	62	11
Maryland Transportation Authority	11	11	14	2
Montgomery County Police Department	145	284	148	3
Ocean City Police Department	24	47	25	24
Oxford Police Department	8	10	9	2
Prince George's County Police Department	173	215	188	0
Princess Anne Police Department	1	1	1	0
Queen Anne's County Drug Task Force	43	60	45	31
Somerset County Narcotics Task Force	17	17	20	0
St. Mary's County Sheriff's Office	16	54	18	12
Talbot County Drug Task Force	28	41	31	7
Washington County Narcotics Task Force	34	60	38	2
Washington County Sheriff's Office	4	4	4	1
Westminster Police Department	11	11	11	5
Wicomico County Drug Task Force	54	54	54	0
Wicomico County Sheriff's Office	34	34	34	17
Worcester County Sheriff's Office	19	21	19	11
Total	3,830	4,550	4,115	322

As illustrated in **Table 2. Seizures and Forfeitures by County**, over 80% of all seizures occurred within the five largest jurisdictions in the State: Baltimore City (n = 2,279), Baltimore County (n = 302), Prince George's County (n = 179), Montgomery County (n = 145), and Anne Arundel County (n = 120).

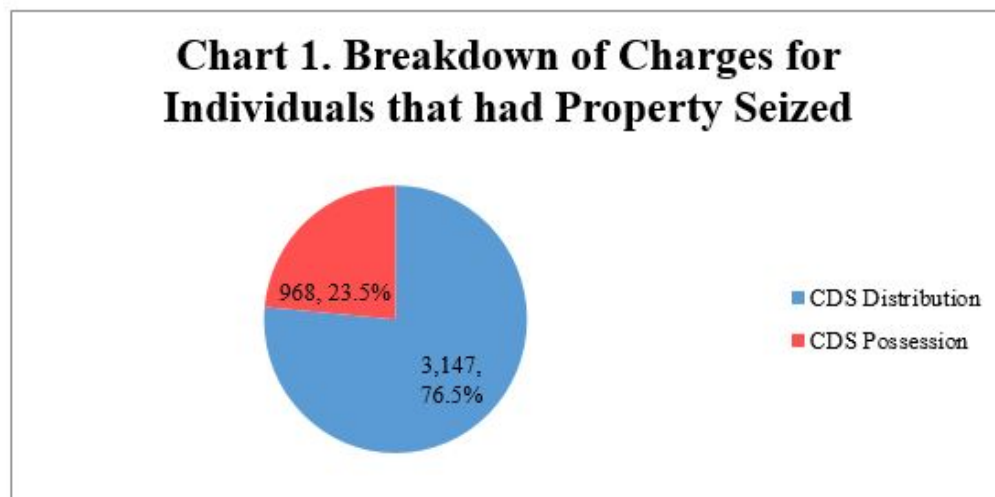
Table 2. Seizures and Forfeitures by County (2018)				
County	Cases	Property Items Seized	Persons Involved	Total Forfeitures
Allegany	44	53	46	6
Anne Arundel	120	148	136	6
Baltimore County	302	460	337	119
Baltimore City	2,279	2,439	2,436	1
Caroline	28	28	28	10
Carroll	12	12	12	5
Cecil	29	32	29	2
Dorchester	12	24	14	0
Frederick	99	116	106	37
Garrett	19	19	21	0
Harford	95	95	96	1
Howard	79	96	89	1
Kent	21	23	21	5
Montgomery	145	284	148	3
Prince George's	179	224	194	0
Queen Anne's	43	60	45	31
Somerset	18	18	21	0
St. Mary's	16	54	18	12
Talbot	46	61	51	13
Washington	54	81	59	5
Wicomico	88	88	88	17
Worcester	43	68	44	35
Statewide	59	67	76	13
Total	3,830	4,550	4,115	322

As illustrated below, **Table 3. Race/Ethnicity of Persons that had Property Seized** identifies the race/ethnicity of persons who had property seized. Based on this illustration, the majority of persons who had property seized by a seizing authority in response to a CDS violation were Black (84.8%), followed by persons who were White (12.8%) and Hispanic (1.5%). Persons who were American Indian or Alaska Native, Asian, or Other represented less than 1% of all seizures. In addition, and based on **Table 4. Gender of Persons that had Property Seized**, over 91% of persons who had property seized were male and over 8% were female.

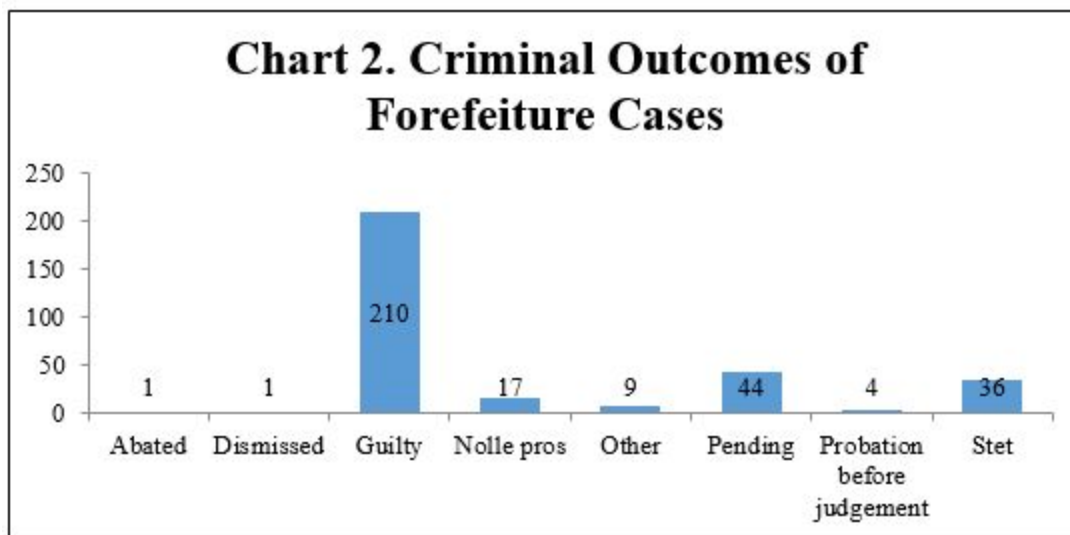
Table 3. Race/Ethnicity of Persons that had Property Seized		
Race	Frequency	Percent
American Indian or Alaska Native	3	0.1%
Asian	22	0.5%
Black	3,488	84.8%
Hispanic/Latino	61	1.5%
Other	14	0.3%
White	527	12.8%
Total	4,115	100.0%

Table 4. Gender of Persons that had Property Seized		
Race	Frequency	Percent
Female	351	8.5%
Male	3,764	91.5%
Total	4,115	100.0%

Of the 4,115 individuals who had property seized, as shown in **Chart 1. Breakdown of Charges for Individuals that had Property Seized**, 76.5% of individuals who had property seized were charged with CDS Distribution and the remaining 23.5% were charged with CDS Possession.



In 2017, the implementation group held several discussions to ensure compliance with Chapters 619 and 658 of 2016. During these discussions, the group agreed to focus on obtaining statistics as it relates to the outcomes of criminal cases where property was forfeited. Of those 322 cases, two-thirds resulted in a guilty or probation before judgement verdict, 55 (17.1%) were not prosecuted and 44 (13.7%) are pending trial (*as illustrated below in **Chart 2. Criminal Outcomes of Forfeiture Cases***). A total of 242 cases (75.2%) received a plea bargain, including 180 of the 210 cases that ended with a guilty verdict.

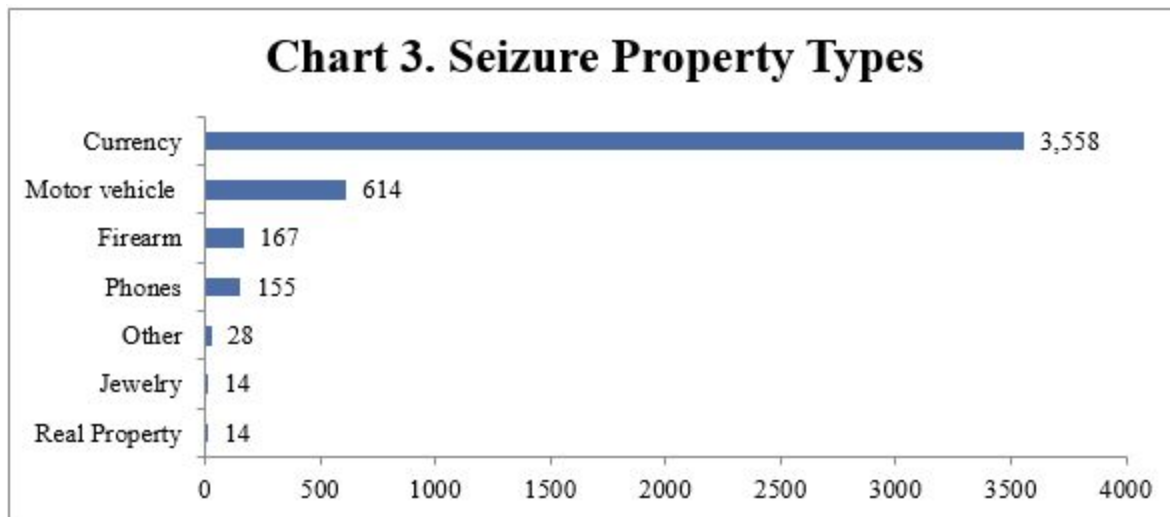


As illustrated on the following pages, a total of 4,550 items were seized by law enforcement agencies in 2018. Various items relating to the use or distribution of CDS such as contraband bongs, bowls, digital scales, and rolling papers were not included in these figures and were excluded from the data. Also, and as identified in **Table 5. Seizure and Forfeiture Values by Agency** and **Table 6. Seizure and Forfeiture Values by County**, nearly \$10 million in property was seized by law enforcement in 2018, with over \$700,000 forfeited.

Table 5. Seizure and Forfeiture Values by Agency (2018)				
Agency	Property Items Seized	Total Forfeitures	Property Seized Value	Forfeiture Value
Aberdeen Police Department	13	0	\$103,256	\$0
Allegany County Narcotics Task Force (C3I)	37	6	\$139,768	\$27,212
Allegany County Sheriff's Office	16	0	\$14,301	\$0
Annapolis Police Department	14	2	\$20,186	\$1,065
Anne Arundel County Police Department	134	4	\$698,963	\$34,436
Baltimore County Police Department	460	119	\$897,936	\$144,165
Baltimore Police Department	2,439	1	\$3,600,146	\$3,150
Brunswick Police Department	3	0	\$1,345	\$0
Caroline County Drug Task Force	28	10	\$56,212	\$39,131
Carroll County Drug Task Force	1	0	\$591	\$0
Cecil County Drug Task Force	3	0	\$3,121	\$0
Cheverly Police Department	7	0	\$18,850	\$0
Dorchester County Drug Task Force	17	0	\$47,946	\$0
Dorchester County Sheriff's Office	7	0	\$4,069	\$0
Easton Police Department	10	4	\$19,089	\$6,174
Elkton Police Department	29	2	\$23,928	\$1,433
Frederick County Sheriff's Office	48	23	\$171,664	\$82,455
Frederick Police Department	65	14	\$287,285	\$39,792
Garrett County Drug Task Force	19	0	\$19,882	\$0
Hagerstown Police Department	17	2	\$15,344	\$6,608
Harford County Drug Task Force	52	1	\$107,382	\$2,538
Harford County Sheriff's Office	30	0	\$43,772	\$0
Howard County Police Department	96	1	\$216,869	\$184
Hyattsville City Police Department	2	0	\$6,416	\$0
Kent County Narcotics Task Force	20	5	\$14,941	\$4,773
Kent County Sheriff's Office	3	0	\$1,587	\$0
Maryland State Police	56	11	\$256,274	\$28,461
Maryland Transportation Authority	11	2	\$79,905	\$30,676
Montgomery County Police Department	284	3	\$605,417	\$6,005
Ocean City Police Department	47	24	\$35,163	\$14,974
Oxford Police Department	10	2	\$13,426	\$3,535
Prince George's County Police Department	215	0	\$912,546	\$0
Princess Anne Police Department	1	0	\$1,047	\$0
Queen Anne's County Drug Task Force	60	31	\$210,877	\$121,204
Somerset County Narcotics Task Force	17	0	\$26,542	\$0
St. Mary's County Sheriff's Office	54	12	\$76,236	\$2,618
Talbot County Drug Task Force	41	7	\$197,065	\$17,172
Washington County Narcotics Task Force	60	2	\$119,517	\$785
Washington County Sheriff's Office	4	1	\$2,867	\$365
Westminster Police Department	11	5	\$7,077	\$4,617
Wicomico County Drug Task Force	54	0	\$709,684	\$0
Wicomico County Sheriff's Office	34	17	\$127,523	\$24,276
Worcester County Sheriff's Office	21	11	\$77,819	\$58,527
Total	4,550	322	\$9,993,832	\$706,331

Table 6. Seizure and Forfeiture Values by County (2018)				
County	Property Items Seized	Total Forfeitures	Property Seized Value	Forfeiture Value
Allegany	53	6	\$154,069	\$27,212
Anne Arundel	148	6	\$719,149	\$35,501
Baltimore County	460	119	\$897,936	\$144,165
Baltimore City	2,439	1	\$3,600,146	\$3,150
Caroline	28	10	\$56,212	\$39,131
Carroll	12	5	\$7,668	\$4,617
Cecil	32	2	\$27,049	\$1,433
Dorchester	24	0	\$52,015	\$0
Frederick	116	37	\$460,294	\$122,247
Garrett	19	0	\$19,882	\$0
Harford	95	1	\$254,410	\$2,538
Howard	96	1	\$216,869	\$184
Kent	23	5	\$16,528	\$4,773
Montgomery	284	3	\$605,417	\$6,005
Prince George's	224	0	\$937,812	\$0
Queen Anne's	60	31	\$210,877	\$121,204
Somerset	18	0	\$27,589	\$0
St. Mary's	54	12	\$76,236	\$2,618
Talbot	61	13	\$229,580	\$26,881
Washington	81	5	\$137,728	\$7,758
Wicomico	88	17	\$837,207	\$24,275
Worcester	68	35	\$112,982	\$73,501
Statewide	67	13	\$336,179	\$59,137
Total	4,550	322	\$9,993,832	\$706,330

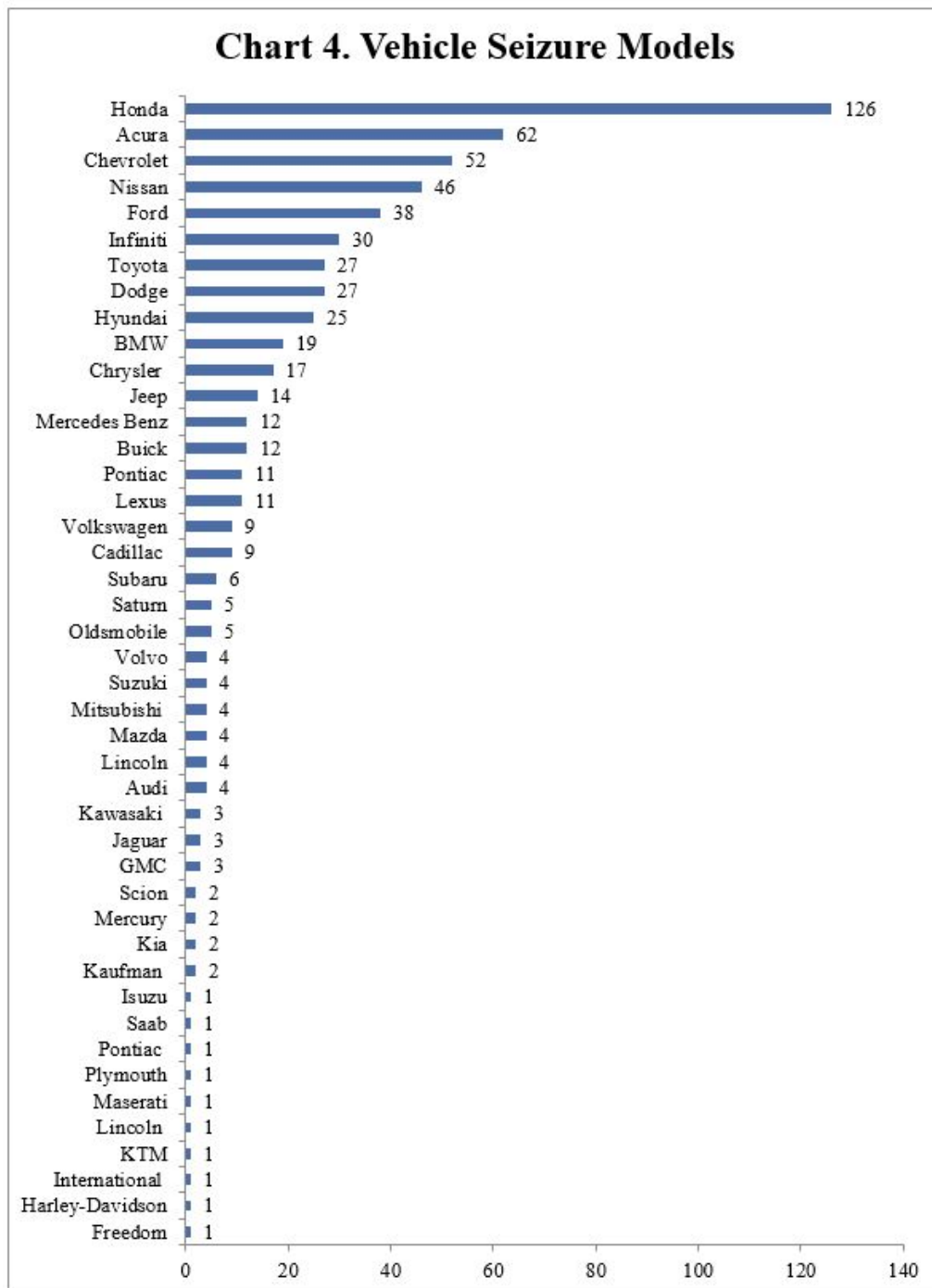
As depicted in **Chart 3. Seizure Property Types**, the property type in over 78% of all seizures consisted of currency that was used in CDS violations (n = 3,558), followed by motor vehicles (13.5%, n = 614), firearms (3.7%, n = 167), cell phones (3.4%, n = 155), other property (0.6%, n = 28), jewelry (0.3%, n = 14), and real property (0.3%, n = 14).



Based on the illustration below, **Table 7. Seizure Values by Property Type** identifies the mean and median seizure amounts in relation to the different property types. The highest median value occurred for motor vehicles (\$3,484), followed by jewelry (\$1,100), other property (\$500), currency (\$381), firearms (\$325), phones (\$200), and real property (\$200).

Agency	Property Items Seized	Property Seized Value	Mean Value Amount	Median Value Amount
Currency	3,558	\$5,881,141	\$1,653	\$381
Motor Vehicles	614	\$3,763,399	\$6,129	\$3,484
Firearms	167	\$59,339	\$355	\$325
Phones	155	\$35,795	\$231	\$200
Other Property	28	\$35,964	\$1,284	\$500
Jewelry	14	\$215,170	\$15,369	\$1,100
Real Property	14	\$3,025	\$216	\$200
Total	4,550	\$9,993,833	\$2,196	\$454

As illustrated below, **Chart 4. Vehicle Seizure Models** provides a breakdown of the make for all 614 motor vehicles seized by law enforcement agencies, and **Chart 5. Vehicle Seizure Models by Year** captures the frequency of vehicles by their model year.



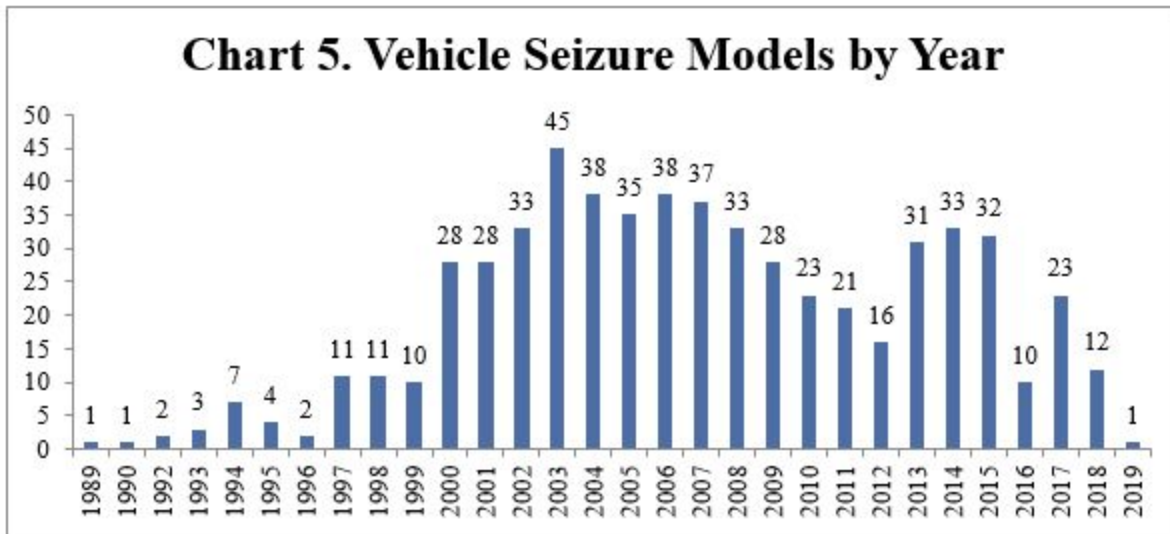


Table 7. Seizure Values by Property Outcome provides the status of all property seizures that occurred in 2018. As of March 1, 2018, nearly 77% of all property seizures remained in a pending status. Over 15% of all property seizures were returned to the individual (n = 705, 15.5%), based on the following outcomes:

- Full return: 477 (10.5%)
- Returned to innocent owner: 206 (4.5%)
- Returned to lienholder: 22 (0.5%)

As previously mentioned, 322 property items were forfeited and not returned to the owner. In addition, a settlement (either full or partial) occurred with twenty property items. **Table 7. Seizure Values by Property Outcome** also captures the mean and median seizure amounts by the different property outcome types.

Table 7. Seizure Values by Property Outcome (2018)				
Agency	Property Items Seized	Property Seized Value	Mean Value Amount	Median Value Amount
Pending	3,503	\$6,247,388	\$1,783	\$354
Full return	477	\$1,302,071	\$2,730	\$743
Forfeited	322	\$706,329	\$2,194	\$698
Returned to innocent owner	206	\$1,375,079	\$6,675	\$4,013
Returned to lien holder	22	\$252,046	\$11,457	\$9,733
Partial settlement	11	\$66,699	\$6,064	\$1,796
Buyback agreement - full settlement	9	\$44,220	\$4,913	\$1,863
Total	4,550	\$9,993,832	\$2,196	\$454

As illustrated on the following page, **Chart 6. Forfeiture Property Types** identifies the property types specifically for property items that were forfeited. Over 62% of the forfeited

property was currency (n = 201), 21% were firearms (n = 69), and 9% were motor vehicles (n = 30). In addition, 12 items categorized as other, nine phones, and one real property item were also forfeited.

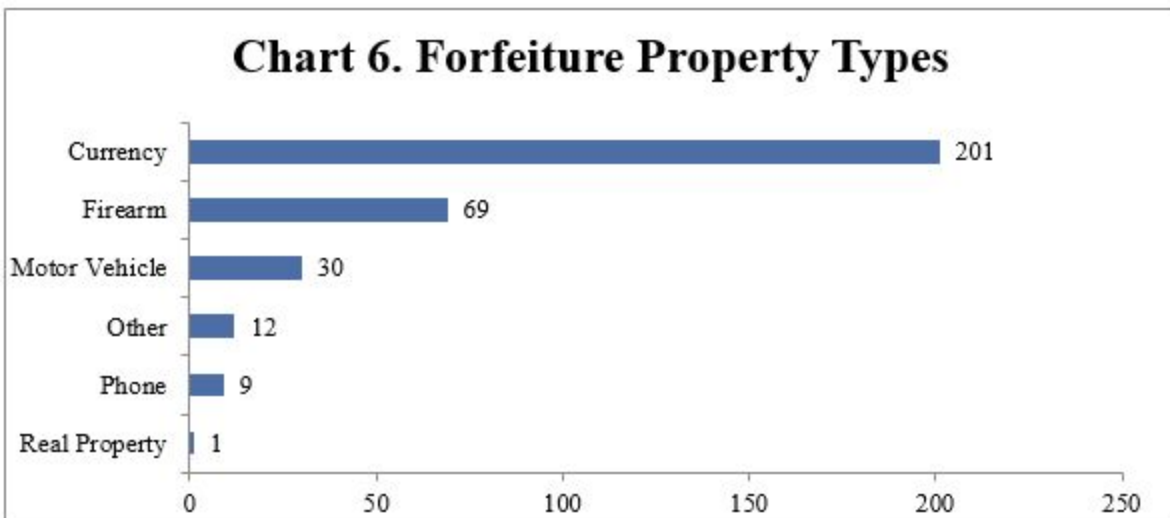


Table 8. Forfeiture Values by Property Type illustrates the mean and median forfeited amounts by the different property types. The highest median value occurred for motor vehicles (\$3,338), followed by currency (\$1,000), other property (\$615), real property (\$500), firearms (\$350), and phones (\$100).

Table 8. Forfeiture Values by Property Type (2018)				
Agency	Property Items Seized	Property Seized Value	Mean Value Amount	Median Value Amount
Currency	201	\$504,741	\$2,511	\$1,000
Firearms	69	\$22,755	\$330	\$350
Motor Vehicles	30	\$165,889	\$5,530	\$3,338
Other	12	\$10,875	\$906	\$615
Phones	9	\$1,570	\$174	\$100
Real Property	1	\$500	\$500	\$500
Total	322	\$706,330	\$2,194	\$698

Recommendations

In preparing this *Seizure and Forfeiture 2018 Annual Report (Second Report to the State of Maryland)*, it became clear that the law could be changed to make these reporting requirements more useful to entities involved with forfeitures and policy makers (*as illustrated below*).

- **Data falls outside the statutorily required date of March 1.** Because this date is used by the Office to prepare the aggregate report, and as referenced by the data in this report, most cases and the status of the property seizure have not been fully resolved by this time. Although the Office is not statutorily required to examine other considerations, the Office is currently considering ways to provide updated information on these cases on its website. To address this, the law could be clarified to require seizing authorities and forfeiting authorities to update the status of cases that they reported even after the March 1 reporting period.
- **The March 1 deadline for the Center to post the individual reports and the aggregate report on its website should be changed to September 1, based on the following reasons**
 - The individual reports are due by March 1 which does not provide time to review the reports, request additional information if needed, and correct obvious errors. For instance, in this report, there were 85 reports of forfeitures that were not related to CDS that needed to be removed from the analysis. Posting the individual reports on March 1, which does not provide time to review the reports, is not productive and will be a source of confusion.
 - To ensure consistency, both the individual and aggregate reports should be posted at the same time.

Appendix A

Seizure and Forfeiture Data Definitions and Format Guide – Updated September 2017

A. OBLIGATIONS

This legislation requires each seizing authority in consultation with the corresponding forfeiting authority to report how any funds appropriated to the authority as a result of forfeiture were spent in the preceding fiscal year and additional information regarding each seizure and forfeiture.

Specifically, all seizing authorities must report annually to the Maryland Statistical Analysis Center the following information about each individual seizure and forfeiture:

1. The date that currency, vehicle, house, or other types of property were seized;
2. The type of property seized including the year, make, and model as applicable;
3. The outcome of related criminal action including whether charges were brought, a plea bargain was reached, a conviction was obtained, or an acquittal was issued;
4. Whether a unit of federal government took custody of the seized property and the name of the unit;
5. For property other than money, the market value of the property seized;
6. If money was seized, the amount of money;
7. The amount the seizing authority received in the prior year from the federal government as part of an equitable sharing agreement;
8. The race and gender of the person or persons from whom the property was seized, if known;
9. Whether the property was returned to the owner.

B. DEFINITIONS

The following *DEFINITIONS* shall be used when recording seizure and forfeiture data;

Seizing authority means a law enforcement unit in the State that is authorized to investigate violations of the Controlled Dangerous Substances law and that has seized property under Criminal Procedure Article 12-101.

Forfeiting Authority means the unit or person designated by agreement between the State's Attorney for a county and the chief executive officer of the governing body having jurisdiction over assets subject to forfeiture to act on behalf of the governing body regarding those assets OR,

If the seizing authority is a unit of the State, a unit or person that the Attorney General or the Attorney General's designee designates by agreement with a State's Attorney, county attorney, or municipal attorney to act on behalf of the State regarding assets subject to forfeiture by the State.

C. REPORTING REQUIREMENTS

1. All seizing authorities must compile and submit data each time a law enforcement agency authorizes the seizure of money or property from a criminal investigation. All seizure and forfeiture information in the described format (see page 3) is due to the Maryland Statistical Analysis Center no later than March 1 of the subsequent year. This requirement shall take effect September 1, 2017 with the first set of data due by March 1, 2018.

The corresponding forfeiting authority (State, county, or municipal attorney) **must** collaborate with the seizing authority to compile the required information.

If any seizing authority or corresponding forfeiting authority fails to report to the Maryland Statistical Analysis Center as required, the Governor's Office of Crime Control & Prevention shall report the noncompliance to the Maryland Police Training Commission for follow-up with the agency. Upon contact, the law enforcement agency must comply within 30 days or the Governor's Office of Crime Control & Prevention and the Maryland Police Training Commission shall report the noncompliance to the Governor and the Legislative Policy Committee of the General Assembly.

2. The initial seizing authority must be a Maryland law enforcement agency to be included in the report. Seizures that are authorized initially by a federal agency and transferred to a Maryland law enforcement agency are not required to be reported under this law.

SEIZURE/FORFEITURE REPORTING FORMAT GUIDE:

Submitting reports or case entries

All seizures/forfeitures can be entered under the “Submit Report” menu item or by clicking on the green “Submit New Report” button on the dashboard home page. All first time users will be prompted to create a password for this database. All users of the system will be assigned to their respective law enforcement agencies in the system.

LRP User

- > Dashboard
- > Submit Report
- > Logout

Legislative Reporting Portal Dashboard

System Notifications

Welcome to the brand new Legislative Reporting Portal!

Agency Reports

[Submit New Report](#)

Show **5** Reports

Search:

Agency	Report Type	Case Number	Disposition	Activity
Fake Agency	Seizure / Forfeiture Currency (\$200)	123456	Pending	Updated 6/16/17 1:41pm by you
Fake Agency	Seizure / Forfeiture Boat/watercraft (\$787)		Forfeited	Updated 6/9/17 7:06pm by Tao Weilundemo
Fake Agency	Seizure / Forfeiture Miscellaneous (\$44,444,444)	234234234	Full return	Updated 6/9/17 12:23pm by Michael Madsen
Fake Agency	Seizure / Forfeiture Currency (\$849)	0949082	Forfeited	Updated 5/17/17 5:06pm by Tao Weilundemo
Fake Agency	Seizure / Forfeiture Currency (\$5,900)		Forfeited	Updated 4/3/17 3:46pm by Tao Weilundemo

1 2 3 4

Seizure / Forefeiture Reporting

Reporting Agency

Fake Agency

Baltimore County

Police report case number *(optional)*

Property Seized

Property #1

Seizure Date



Type of Property

Property value

Did a unit of federal government take custody of the property? ☐ Yes ☐ No

Disposition of property

Add another property

Person(s) seized from

Person #1

Gender

Race and Ethnicity

Was the person charged?

☐ Yes ☐ No

Add another person

Submit

Submit & Add Another

Reset

Cancel

Description of Fields to be Included:

Reporting Agency

1. Agency Name – you will only be able to add cases corresponding to the agency(s) assigned to you. The agency name will appear at the top of every entry. If you are assigned to multiple agencies, you will be able to select the agency from a dropdown list and then click “continue to report form” to begin entering the information.
2. Police report case number (optional) – Adding a case number may make it easier to track the cases you have completed and also to update those that may still be pending.

LRP User

- > Dashboard
- > Submit Report
- > Logout

Seizure / Forefeiture Reporting


Reporting Agency

Fake Agency

Baltimore County

Police report case number (optional)

Property Seized

3. Seizure Date
 - Date that each item was seized.
 - Select the date from the calendar box. 
4. Type of property seized
 - The type of property that was seized in each individual seizure (dropdown menu):
 - Currency
 - Motor vehicle (including ATVs)
 - Year
 - Make
 - Model
 - Boat/Watercraft
 - Year
 - Make
 - Model
 - Aircraft
 - Year



- Make
- Model
- Real property
- Jewelry
- Miscellaneous (type in text box)

5. Property market value

- Includes the market value of the currency or property seized.
- For motor vehicles, use the National Automobile Dealers Association
- Enter the dollar amount in the corresponding text box



Property Seized

Property #1

Seizure Date	Type of Property	Property value
<input type="text" value="06/01/2017"/> 	<input type="text" value="Currency"/> 	<input type="text" value="\$100.00"/>

Property Seized



Property #1

Seizure Date	Type of Property	Property value
<input type="text" value="06/01/2017"/> 	<input type="text" value="Boat/watercraft"/> 	<input type="text" value="\$4,000.00"/>

Year	Make	Model
<input type="text"/>	<input type="text"/>	<input type="text"/>

Property Seized

Property #1

Seizure Date	Type of Property	Property value
<input type="text" value="06/01/2017"/> 	<input type="text" value="Miscellaneous"/> 	<input type="text" value="\$250.00"/>

Property type details

6. Unit of federal government

- Whether a unit of federal government took custody of the seized property:
 - Yes

- Department of Justice
- Department of Treasury
- No

Did a unit of federal government take custody of the property? ☒ Yes ☐ No

Which federal unit? ☐ Department of Justice ☐ Department of Treasury

Did a unit of federal government take custody of the property? ☐ Yes ☒ No

7. Disposition of property:

- Includes whether property was returned to the owner (dropdown menu): “Return” means an agreement to return the property has been finalized or the agency has sent notification in any form (phone, email, letter) to the lienholder or owner that the property is available for return. It does not require that the owner has taken physical possession of the property.
- This includes the disposition of property as of March 1st of the subsequent year.
 - Buy back agreement – full settlement
 - Partial settlement
 - Full return
 - Returned to innocent owner
 - Returned to lien holder
 - Forfeited
 - Pending

The pending disposition should be used whenever final disposition of the property has not yet been determined, i.e. the property has not been finally forfeited or returned to the owner.

Disposition of property

Choose one

- Buyback agreement - full settlement
- Partial settlement
- Full return
- Returned to innocent owner
- Returned to lien holder
- Forfeited
- Pending

[+ Add another property](#)

Race and Ethnicity

Select race/ethnicities

If the case involved more than one type of seizure, click “add another property” and reenter items 3-7 for all additional properties seized for this case. You can also click “remove property” if you entered too many for a particular case.

Property Seized

Property #1

Seizure Date

06/01/2017

Type of Property

Currency

Property value

\$250.00

Did a unit of federal government take custody of the property?

☒ Yes

☐ No

Which federal unit?

☒ Department of Justice

☐ Department of Treasury

Disposition of property

Forfeited

+ Add another property

Property Seized

Property #1

Seizure Date

06/01/2017

Type of Property

Currency

Property value

\$250.00

Did a unit of federal government take custody of the property?

☒ Yes

☐ No

Which federal unit?

☒ Department of Justice

☐ Department of Treasury

Disposition of property

Forfeited

Property #2

Seizure Date

Type of Property

Choose one

Property value

\$0.00

Did a unit of federal government take custody of the property?

☐ Yes

☐ No

Disposition of property

Choose one

+ Add another property

- Remove property

Persons(s) seized from

8. Gender

- The gender of the person(s) from whom the property was seized (dropdown menu):
 - Male
 - Female
 - Transgender
 - Transgender male (female to male)
 - Transgender female (male to female)

The screenshot shows a web form titled "Person(s) seized from". Under the heading "Person #1", there are two main sections: "Gender" and "Race and Ethnicity". The "Gender" dropdown menu is open, displaying the following options: "Male", "Female", "Transgender", "Transgender Male (Female to Male)", and "Transgender Female (Male to Female)". The "Race and Ethnicity" section has a dropdown menu labeled "Select race/ethnicities". Below these, there is a text input field for "Name(s)" and a section for "Jurisdiction level?" with radio buttons for "State" and "Federal". A blue button labeled "Add another person" is located at the bottom right of the form.

9. Race

- The race of the person(s) from whom the property was seized (dropdown menu):
Click all that apply
 - American Indian or Alaskan Native
 - Asian
 - Black
 - Hispanic/Latino
 - Native Hawaiian/Pacific Islander
 - White
 - Other

Person(s) seized from

Person #1

Gender
 Choose one

Race and Ethnicity
 Select race/ethnicities

Was the person charged?
☒ Yes ☐ No

CJIS code
 Select code(s)

Was this adjudicated at the state or federal level

☐ American Indian or Alaska Native
☐ Asian
☐ Black
☐ Hispanic/Latino
☐ Native Hawaiian or Pacific Islander
☐ White
☐ Other

10. Was the person charged

- Whether or not the person who had their property seized was arrested for an offense.
 - Yes
 - No

11. What is the CJIS code for the crime

- This field only displays if you click “yes” under “was the person charged”
- A dropdown of CJIS codes corresponding to violations of the Controlled Dangerous Substances law are included
- Check all charges that apply which are sorted by CJIS code
- There is a search button at the top for you to type in the CJIS code or charge literal
- If you select “other” you will have to type in the CJIS code and charge literal
- A full list of violations of the Controlled Dangerous Substances law can be found in Appendix A.

Was the person charged?
☐ Yes ☒ No

Was the person charged?
☒ Yes ☐ No

Was this adjudicated at the state level?

CJIS code
 Select code(s)

Search

- ☐ 1_0010 - PRESC: ILLEGAL MANUFACTURING
- ☐ 1_0018 - CDS-SELL SUBSTITUTE DRUG
- ☐ 1_0025 - CDS-UNSOLICIT MAILING
- ☐ 1_0233 - CDS POSS W/INT TO DIST
- ☐ 1_0234 - CDS/COUNTERFEIT CREATE/DISTR
- ☐ 1_0235 - CDS/COUNTERFEIT POSS W/INT DIS

Submit Submit & Add

12. Was this adjudicated at the state or federal level

- ☐ State
- ☐ Federal

13. Outcome of criminal action

- The outcome of the related criminal action against the person from whom the property or currency was seized.
- Only outcomes of cases that were adjudicated at the state level will be reported. This excludes cases that were adjudicated at the federal level. If you select “federal” under item 12, this box will not appear.
- Only include this information for cases where the property or currency was forfeited or partially returned. If any other property dispositions are selected, this field will not populate.
- This includes the outcome of each case as of March 1st of the subsequent year which can be selected on a dropdown menu below:
 - ☐ Conviction
 - ☐ Guilty
 - ☐ Probation before judgment
 - ☐ Acquittal
 - ☐ Not guilty
 - ☐ Dismissed

- No conviction
 - Nolle pros
 - Stet
 - No verdict
 - Abated
- Case pending
 - Pending
- Other outcome
 - Other (type in text box)

The screenshot shows a web form with a dropdown menu open on the left. The menu lists the following options:

- Conviction**
 - Guilty
 - Probation before judgement
- Acquittal**
 - Not guilty
 - Dismissed
- No conviction**
 - Nolle pros
 - Stet
 - No verdict
 - Abated
- Case pending**
 - Pending
- Other outcome**
 - Other

The background form includes the following fields and buttons:

- A dropdown menu for "Conviction" (partially obscured by the open menu).
- A blue button labeled "Add another property".
- A section titled "Race and Ethnicity" with a dropdown menu labeled "Select race/ethnicities".
- A section titled "JIS code" with a dropdown menu labeled "Select code(s)".
- A section titled "State or federal level?" with radio buttons for "State" (selected) and "Federal".
- A section titled "Plea bargain?" with radio buttons for "Yes" and "No" (selected).
- A blue button labeled "Add another person".

If any charge results in a disposition of guilty or probation before judgment outcome, check guilty or probation before judgment as your outcome.

14. Plea Bargain

- This will only populate for cases adjudicated at the state level and for cases when property or currency was forfeited or partially returned.

- Agencies may rely on Judiciary Case Search to determine when a plea bargain was or was not reached. When a guilty or PBJ disposition is entered but no trial has taken place, agencies may report “Yes” for this category. When a trial takes place, agencies may report “No” for this category. As an alternative, agencies can reach out to the County State’s Attorney’s Office or other forfeiting authority to determine whether or not a plea bargain was reached for these cases.
 - Yes
 - No

If the case involved more than one person having some type of property seized, click “add another person” reenter items 8-14 for all additional persons who had property seized in this case. You can also click “remove person” if you entered too many for a particular case.

Person(s) seized from

Person #1

Gender

Male

Race and Ethnicity

White

Was the person charged?

☒ Yes
 ☐ No

CJIS code

1_0010 - PRESC: ILLEGAL MANUFACTURING

Was this adjudicated at the state or federal level?

☒ State
 ☐ Federal

Outcome of criminal action

Nolle pros

Plea bargain?

☐ Yes
 ☒ No

Add another person

Person(s) seized from

Person #1

Gender
Male

Race and Ethnicity
White

Was the person charged?
☒ Yes ☐ No

CJIS code
1_0010 - PRESC: ILLEGAL MANUFACTURING

Was this adjudicated at the state or federal level? ☒ State ☐ Federal

Outcome of criminal action
Nolle pros

Plea bargain? ☐ Yes ☒ No

Person #2

Gender
Female

Race and Ethnicity
Black

Was the person charged?
☒ Yes ☐ No

What is the CJIS code for the crime?
1_0010 - PRESC: ILLEGAL MANUFACTURING

Was this adjudicated at the state or federal level? ☐ State ☐ Federal

Add another person Remove person

Click "Submit" or "Submit & Add Another" to submit your entry after you have entered all of the required information. You can also reset the entry or cancel to default back to the Legislative Reporting Portal Dashboard.

Submit

Submit & Add Another

Reset

Cancel

NOT IN THE DATABASE

15. Equitable sharing agreement

- Includes the amount the seizing authority received in the prior year from the federal government as part of an equitable sharing agreement.
- This will be received through federal E-share reports.

Viewing or editing existing entries

When you log into the database, it initially takes you to the Legislative Reporting Portal Dashboard. You can use this dashboard to view cases that you have already submitted or cases that you need to update that are pending. You can locate a case by the agency name, report type, case number, or property disposition. The activity column shows the last time you updated each case. A search bar above allows you to type in a case number or other relevant language to help you locate the case(s) you are looking for. You can also adjust the settings for 5, 25, 50 or all reports showing on a page.

Legislative Reporting Portal Dashboard

System Notifications

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Agency Reports

[Submit New Report](#)

Show **5** Reports

Search:

Agency	Report Type	Case Number	Disposition	Activity
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Fake Agency	Seizure / Forfeiture Miscellaneous (\$44,444,444)	234234234	Full return	Updated 6/9/17 12:23pm by Michael Madsen
Fake Agency	Seizure / Forfeiture Currency (\$849)	0949082	Forfeited	Updated 5/17/17 5:06pm by Tao Weilundemo
Fake Agency	Seizure / Forfeiture Currency (\$5,900)		Forfeited	Updated 4/3/17 3:46pm by Tao Weilundemo

1

2

3

4

To update a case, click the “seizure/forfeiture” blue font corresponding to the case you would like updated. This will then take you back to the “submit reports” page where you can update the information. Once you are finished select “update report” and the revised case information will be submitted.

Legislative Reporting Portal Dashboard

System Notifications

Welcome to the brand new Legislative Reporting Portal!

Agency Reports

[+ Submit New Report](#)

Show **5** Reports

Search:

Agency	Report Type	Case Number	Disposition	Activity
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1 2 3 4

Update Seizure / Forefeiture Reporting

Reporting Agency

Fake Agency

Baltimore County

Police report case number (optional)

123456

Property Seized

Property #1

Seizure Date

06/01/2017

Type of Property

Currency

Property value

\$200.00

Did a unit of federal government take custody of the property? ☒ Yes ☐ No

Which federal unit? ☒ Department of Justice ☐ Department of Treasury

Disposition of property

Pending

+ Add another property

Person(s) seized from

Person #1

Gender

Male

Race and Ethnicity

Black

Was the person charged?

☒ Yes ☐ No

CJIS code

1_0010 - PRESC: ILLEGAL MANUFACTURING

Was this adjudicated at the state or federal level? ☒ State ☐ Federal

+ Add another person

Update Report

Reset

Cancel

Appendix B

Criminal Code	CJIS Code	Charge Literal
CR 5-701(d)(1)	1_0010	PRESC: ILLEGAL MANUFACTURING
CR 5-702(2)	1_0018	CDS-SELL SUBSTITUTE DRUG
CR 5-703(b)	1_0025	CDS-UNSOLICIT MAILING
CR 5-602	1_0233	CDS POSS W/INT TO DIST
CR 5-604	1_0234	CDS/COUNTERFEIT CREATE/DISTR
CR 5-604	1_0235	CDS/COUNTERFEIT POSS W/INT DIS
CR 5-604	1_0236	CDS/COUNTERFEIT: EQUIPMENT
CR 5-603	1_0237	CDS: PRODUCTION EQUIPMENT
CR 5-605	1_0238	COMM NUIS/ADMINISTER CDS
CR 5-605	1_0239	COMM NUIS/DISTRIB CDS
CR 5-620(a)(2)	1_0255	CDS ADMIN EQUIP POSS/DIST
CR 5-620(a)(2)	1_0256	CDS PACK MATERIAL POSS/DISTR
CR 5-620	1_0257	CDS MFG MAT POSS/DIST-NOT MARIJUANA
CR 5-701(d)(1)	1_0264	PRES ILL POSS W/I DIST
CR 5-701(d)(2)	1_0270	PRESC: ILLEGAL MANUFACTURING
CR 5-709(b)(1)(2)	1_0272	CDS POSS FOR DISTRIBUTION
CR 5-627(a)	1_0482	CDS DIST: SCHOOL PROP/BUS
CR 5-627(a)	1_0484	CDS: P W/I DIST: SCHOOL BUS/PROP
CR 5-621(b)(2)	1_0487	CDS: DISTR ETC. W/FIREARM
CR 5-613	1_0488	CDS DRUG KINGPIN
CR 5-628(a)(2)	1_0489	IMPORT MINOR: DRUG FELONY
CR 5-621(b)(1)	1_0493	FIREARM/DRUG TRAF CRIME
CR 5-620(a)(2)	1_0566	MARIJUANA PACKING POSS/DIS
CR 5-603	1_0660	MANUFACTURE CDS
CR 5-603	1_0661	MANUFACTURE CDS – NARCOTIC
CR 5-603	1_0662	MANUFACTURE CDS – PCP/LSD
CR 5-623(b)	1_0673	CDS-PROCEEDS FROM OFFENSE
CR 5-623(b)(3)(4)(5)	1_0675	CDS-PROCEEDS FROM OFFENSE
CR 5-602	1_0696	CDS: DIST-PCP/LSD
CR 5-614(b)	1_0730	CDS: IMPORT 5-45 KILO MARIJUANA
CR 5-612	1_0879	CDS MANUF – LG AMT
CR 5-612	1_0880	CDS DIST/Dispense – LG AMT
CR 5-612	1_0881	CDS POSSESS – LG AMT
CR 5-604(b)(1)	1_0933	CDS: DIST COUNTERFEIT LSD/PCP
CR 5-604(b)(2)	1_0934	PCP/LSD/COUNTERFEIT POS W/I DIS
CR 5-604 (c)	1_0936	PCP/LSD/COUNTERFEIT EQUIPMENT
CR 5-620	1_1287	CDS MFG MAT POSS/DIST-MARIJUANA
CR 5-709(b)(1)(2)	1_3500	CDS DIST TO INHALE
CR 5-902(b)	1_3550	UNAUTH CDS-DIST/MAN/DIS REG
CR 5-628(a)(1)	1_5409	HIRE ETC MINOR: DIST CDS

CR 5-602	2_0233	CDS: POSS W/I DIST: PCP/LSD
CR 5-603	2_0237	CDS: PROD EQUIP: PCP/LSD
CR 5-605	2_0300	CDS: COM NUIS: ADMIN PCP/LSD
CR 5-605	2_0301	CDS: COM NUIS: DIST PCP/LSD
CR 5-605(a)(1)	2_0325	CDS: COM NUIS: ADMIN NARC
CR 5-605(a)(2)	2_0330	CDS: COM NUIS: DIST. NARC
CR 5-602(1)	2_0696	CDS DIST-NARC
CR 5-624(b)(1)	2_0710	CDS ADM W/VIOLENT CRIME
CR 5-624(b)(2)	2_0715	CDS ADM W/SEX OFFENSE
CR 5-602	2_3550	CDS DIST – OTHER
CR 5-602(2)	3_0233	CDS: POSS W/I DIST: NARC
CR 5-604(b)(1)	3_0234	CDS: DIST COUNTERFEIT NARC
CR 5-604(b)(2)	3_0235	NARC/COUNTERFEIT POS W/I DIS
CR 5-604 (c)	3_0236	NARC/COUNTERFEIT EQUIPMENT
CR 5-603	3_0237	NARC: PRODUCTION EQUIP
CR 5-614	3_3550	CDS: IMPORT INTO STATE
CR 5-619(c) (2)	5_3550	CDS: POSS PARAPHERNALIA
CR 5-619(d)(1)	6_3550	CDS: DIST PARAPHERNALIA
CR 5-619(d)(4)	7_3550	CDS PARA-DELIVERY TO MINOR
CR 5-619(e)	9_0082	CDS PARA-ADVERTISE
CR 5-904(a)(2)	9_3550	CDS REGISTRANT DIST NO FORM